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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Edward B. Dakin et al. Attorney Docket No.: 37841.1.5  
Application No.: 10/629,007 Examiner: Unknown  
Filed: July 29, 2003 Group Art Unit: 3738  
Customer No.: 022859 Confirmation No. 7345  
For: INTERNAL CORD FIXATION DEVICE

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

Under 35 USC §120, this application relies on the earlier filing dates of application Serial No. 10/115,446, filed April 2, 2002, now abandoned, which is a Continuation of 09/162,036, filed September 28, 1998, now Patent No. 6,368,326. References listed on the attached form PTO-1449 were submitted to and/or cited by the Patent Office in the prior applications and, therefore, are not provided in this application.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on October 20, 2004.

By: Lisa Johnson  
Name: Lisa Johnson

Applicant: Edward B. Dakin et al.  
Serial No. 10/629,007  
Filed: July 29, 2003  
Page: 2

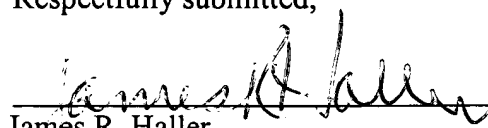
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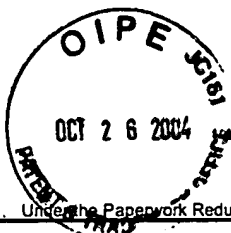
This statement is being filed within three months of the filing date of the application or before the receipt of a first Office Action on the merits. No fees are believed due. Please apply any deficiencies or credits to Deposit Account No. 06-1910.

Respectfully submitted,

Date: Oct. 20, 2004

  
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 5

**Complete if Known**

Application Number	10/629,007
Filing Date	July 29, 2003
First Named Inventor	Edward B. Dakin
Art Unit	3738
Examiner Name	Unknown
Attorney Docket Number	37841.1.5

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 887,074 A	05-12-1908	Dapage	
		US- 2,143,922 A	01-17-1939	Longfellow	
		US- 2,501,978 A	03-28-1950	Wichman	
		US- 3,477,429 A	11-11-1969	Sampson	
		US- 3,709,218 A	01-09-1973	Halloran	
		US- 3,997,138 A	12-14-1976	Crock et al.	
		US- 4,041,939 A	08-16-1977	Hall	
		US- 4,047,523 A	09-13-1977	Hall	
		US- 4,050,464 A	09-27-1977	Hall	
		US- 4,120,298 A	10-17-1978	Fixel	
		US- 4,146,022 A	03-27-1979	Johnson et al.	
		US- 4,492,226 A	01-08-1985	Belykh et al.	
		US- 4,587,963 A	05-13-1986	Leibinger et al.	
		US- 4,708,132 A	11-24-1987	Silverstrini	
		US- 4,790,303 A	12-13-1988	Steffee	
		US- 4,889,110 A	12-26-1989	Galline et al.	
		US- 4,976,712 A	12-11-1990	Vanderslik	
		US- 5,013,314 A	05-07-1991	Firica et al.	
		US- 5,108,397 A	04-28-1992	White	

**FOREIGN PATENT DOCUMENTS**

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		DE 1958429	07-22-1971	Gaeckel		
		EP 0298400	01-11-1989	Wasserstein		
		EP 576337	06-1993			
		WO 9811838	03-26-1998	Sammur		

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**INFORMATION DISCLOSURE  
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Sheet

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of

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**Complete if Known**

Application Number	10/629,007
Filing Date	July 29, 2003
First Named Inventor	Edward B. Dakin
Art Unit	3738
Examiner Name	Unknown
Attorney Docket Number	37841.1.5

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		US- 5,116,340 A	05-26-1992	Songer et al.	
		US- 5,156,616 A	10-20-1992	Meadows et al.	
		US- 5,201,733 A	04-13-1993	Etheredge III	
		US- 5,306,290 A	04-26-1994	Martins et al.	
		US- 5,312,410 A	05-17-1994	Miller et al.	
		US- 5,324,291 A	06-28-1994	Ries et al.	
		US- 5,395,374 A	03-07-1995	Miller et al.	
		US- 5,449,361 A	09-12-1995	Preissman	
		US- 5,454,812 A	10-03-1995	Lin	
		US- 5,474,554 A	12-12-1995	Ku	
		US- 5,536,270 A	07-16-1996	Songer et al.	
		US- 5,562,668 A	10-08-1996	Johnson	
		US- 5,569,253 A	10-29-1996	Farris et al.	
		US- 5,571,139 A	11-05-1996	Jenkins Jr.	
		US- 5,611,801 A	03-18-1997	Songer	
		US- 5,720,765 A	02-24-1998	Thal	
		US- 5,788,697 A	08-04-1998	Kilpela et al.	
		US- 5,797,913 A	08-25-1998	Dambreville et al.	
		US- 5,921,986 A	07-13-1999	Bonutti	

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First Named Inventor	Edward B. Dakin
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Attorney Docket Number	37841.1.5
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Sheet	3	of	5
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FORM PTO-1449 MODIFIED

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APPLICATION NO.: 10/629,007

FILING DATE: July 29, 2003

FIRST NAMED INVENTOR: Edward B. Dakin

GROUP ART UNIT: 3738

ATTORNEY DOCKET NO.: 37841.1.5

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Howmedica, The Dall-Miles Cable Grip System (1995)	<input type="checkbox"/>
		Zimmer, Cable-Ready Cable Grip System (August 1994)	<input type="checkbox"/>
		Mears D.C., Shirahama M., Stabilization of an Acetabular Fracture with Cables for Acute Total Hip Arthroplasty, The Journal of Arthroplasty, Vol. 13, No. 1, pp. 104-107 (1998)	<input type="checkbox"/>
		Labitzke R. Von der "Knochennacht" zu zeitgenossischen Osteosyntheseneine Chronologie Chirurg 66: pp. 452-458 (1995)	<input type="checkbox"/>
		Dall D.M., Miles A.W., Re-attachment of the Greater Trochanter The Use of the Trochanter Cable-Grip System, JBJS (British), Vol. 65-B, No. 1, pp. 55-59 (Jan 1983)	<input type="checkbox"/>
		Labitzke R., Schramm G., Witzel U., Quisthout P., "Sleeve-Rope Closure" of the Median Sternotomy after Open Heart Operations, Thorac. Cardiovasc. Surgeon 31, pp. 127-128 (1983)	<input type="checkbox"/>
		Labitzke R., Drahtseile und intraossare Druckverteilungs-chulsenin der Chirurgie, Chirurg 53: pp. 741-743 (1982)	<input type="checkbox"/>
		Labitzke R., Towfigh H., Operationstechnik und behandlung-sergebnisse nach lateraler Zuggurtung an Patella und Olecranon, Unfallheilkunde 83, pp. 450-456 (1980)	<input type="checkbox"/>
		Meeder P.J., Wentzensen A., Weise K., Die operative Behandlung der frischen acromino- clavicularen Luxation (Tossy III) durch Naht der Ligamente und Kirschner- Drahtzuggurtung, Langenbacks Arch. Chir. 350, pp. 169-173 (1980)	<input type="checkbox"/>

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		Schweiberer Von L., Operative Behandlung von Patellafrakturen, Zentralblatt fur Chirurgie, Heft 16, pp. 982-987 (1977)	<input type="checkbox"/>
		Labitzke R., Die laterale Zuggurtung, Arch. Orthop. Unfall-Chir. 81, pp. 193-198 (1975)	<input type="checkbox"/>
		Labitzke R., Statisch-experimentelle Untersuchungen zur Zuggurtun (dargestellt an der Olecranofraktur) Mschr. Unfallheilk. 78, pp. 393-400 (1975)	<input type="checkbox"/>
		Labitzke R., Bipolar interfragmentare Druckkraftmessung am Modellknochen bei Variierung der Zuggurtung einer Olecranonfraktur, Arch. Orthop. Unfall-Chir. 81, pp. 199-205 (1975)	<input type="checkbox"/>
		Labitzke R., Rehn J., Zur Behandlung von Patellafrakturen, Arch orthop. Unfal-Chir. 77, pp. 64-74 (1973)	<input type="checkbox"/>
		Latizke R., Kehr H, Rehn J., Zur Behandlung von Olecranon-Frakturen und Olecranon-Pseudarthrosen, Arch. Orthop. Unfall-Chir. pp. 247-256 (1972)	<input type="checkbox"/>
		Labitzke R., Überlegungen zur Theorie der Zuggurtung, Arch. Orthop. Unfall-Chir. 81, pp. 179-192 (1975)	<input type="checkbox"/>
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